IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA		
v.		No. 4:23-CR-237-P
TYLER-ROBIN DOYLE (01)		

GOVERNMENT'S NOTICE OF INTENT TO INTRODUCE EXPERT TESTIMONY

The United States of America, by and through the undersigned Assistant United States Attorney, hereby provides notice pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G) of its intent to use expert testimony in its case-in-chief at trial.[1] The United States may disclose additional experts as needed.

I.   Expert Disclosure

a. Kenneth Lynch, Forensic Computer Analyst

<u>Training and Qualifications</u>: Analyst Kenneth Lynch is employed by the United States Postal Inspection Service (USPIS) as a Forensic Computer Analyst ("FCA"). He has worked for the USPIS as a FCA since 2017, and he is presently assigned to the Fort Worth Digital Evidence Unit (DEU). Analyst Lynch has received numerous trainings and certifications in the field of digital forensics as stated in his Curriculum Vitae. *See*

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[1] Rule 16(a)(1)(G) provides that, "*[a]t the defendant's request*, the government must disclose to the defendant, in writing, the information required by (iii) for any testimony that the government intends to use at trial under Federal Rule of Evidence 702, 703, or 705 during its case-in-chief, or during its rebuttal to counter testimony that the defendant has timely disclosed under (b)(1)(C)." (emphasis added). Although the defendant has made no such demand for expert discovery, the United States is voluntarily providing this notice.

Government's Notice of Expert Witnesses – Page 1

attached Exhibit. Analyst Lynch has been a Certified Computer Examiner (CCE)

through the International Society of Forensic Computer Examiners (ISFCE) since 2022.

Analyst Lynch has performed examinations on over 500 mobile devices (e.g. cell phones,

tablets, GPS units), over 250 computer devices (computers, laptops, hard disk drives,

solid state drives, portable storage devices (thumb drives, media cards, etc.). Analyst

Lynch has a Bachelors degree in Information Technology and the following digital

forensic training and certifications:

- 2022 Certified Vehicle System Forensic Examiner (CVSE)

- 2022 Certified Computer Examiner (CCE)

- 2016 Access Data Certified Examiner (ACE)

- 2016 CompTIA A+ Certification

- 2016 CompTIA NET+ Certification

- 2020 AXIOM Training

- 2019 SANS 508 Windows Forensics and Incident Response

- 2018 Cryptocurrency

- 2017 Recon Apple Forensic Software

- 2017 XRY Mobile Forensic Software

- 2016 FBI CART File Systems Forensics

- 2016 Internet Evidence Finder Web Course

- 2016 CIA Forensic Science Forum

- 2016 Griffeye NETClean Forensics

- 2016 FBI CART Linux Command Line Forensics

- 2016 Access Data Web Artifacts

- 2016 Guidance Software EnCase Forensics 1 Web Course (Version 7)

- 2016 FBI CART Operating Systems Artifacts

- 2016 FBI CART Digital Extraction Technician Training

- 2016 FBI CART Digital Evidence Handling

- 2016 FBI CART Cellebrite Mobile Device Forensics

Analyst Lynch has not testified as an expert within the last four (4) years. He has also not authored any publications in the last 10 years. Analyst Lynch will testify about his training, qualifications, and experience consistent with his Curriculum Vitae. Analyst Lynch will testify generally about how extractions of digital devices are performed, the types of extractions that can be obtained, the software used to perform extractions of digital devices, and the data that can be recovered in those extractions. Analyst Lynch will explain hashing algorithms and how they are used to identify and verify digital files, including extractions of digital devices. Analyst Lynch will testify that he performed an extraction of Doyle's Samsung cellular telephone in this case, which he later provided to Inspector Michael Galvez for analysis. Additionally, Analyst Lynch can testify about the interstate and foreign commerce nexus of the cellular telephones, including whether the defendant's cellular telephone was manufactured outside of the State of Texas and therefore traveled in interstate and foreign commerce. The cellular telephone has been

described in various reports, evidence receipts, photographs, and forensic reports made available to the defense. The device continues to be available, for review.

Specifically, Analyst Lynch is expected to testify regarding the following matters in general terms and/or as applied to this case:

- That a forensic tool was used to examine the defendant's cellular phone, the analysis, and the evidence obtained from the cellular phone, including any hardware and software. Specifically, Analyst Lynch will explain that Cellebrite is a forensic tool that law enforcement commonly use to forensically process electronic devices. This tool makes reliable images, or copies, of electronic devices and processes those devices to uncover media files and other artifacts, including those recently deleted or are in unallocated, or carved, space on a drive. That a reliable image, or copy, was made in this case of the defendant's Samsung cellular telephone. This program was used to process and review the cellular telephone belonging to Doyle.

- That the forensic process included an advanced logical extraction of the cellular telephones involved in this case.

- That reports are generated from the forensic extraction process and then they are provided to the case detective for review.

- That he processed all the electronic device he conducted the extraction, which was the defendant's Samsung cellular telephone.

- The presence of artifacts indicating ownership or primary use of the cellphone used by the defendant.

Analyst Lynch will testify consistent with the forensic examination report created by Cellebrite.

Approval of Disclosure: Pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G)(v), I have reviewed this disclosure and approve of its contents.

Kenneth Lynch,
Forensic Computer Analyst
United States Postal Service

II.   Request for Notice Regarding Defense Experts

The United States asserts that this notice and the reports previously made available to the defendant, as well as the actual files obtained from the defendant's electronic devices, satisfy the requirements of Rule 16(a)(1)(G). If, after viewing this notice and the attachment, the defendant requests further information or has concerns under Rule 16, the United States requests the defendant advise as to what further information is necessary to prepare for trial.

Finally, pursuant to Rule 16(b)(1)(A), (B), and (C), the United States requests reciprocal discovery and disclosure of any expert the defendant intends to use during its case-in-chief.

Respectfully submitted,

LEIGHA SIMONTON
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on this the 28th day of August 2023, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorney of record who has consented in writing to accept this Notice as service of this document by electronic means: Monroe Solomon III.

/s/ *Brandie Wade*
BRANDIE WADE
Assistant United States Attorney